

NUMBER: EV302900230US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service, postage prepaid, under 37 CFR 1.10 on the date indicated below and is address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Date

4/8/04

17947 U.S. PTO  
10/820978

**REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53**

DOCKET NUMBER	PRIOR APPLICATION EXAMINER	PRIOR ART UNIT
BJSC:296D1	G. SUCHFIELD	3672

**Address to:**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR 1.53, of pending prior application Serial Number 10/068,787 filed on February 6, 2002 entitled "High Temperature Flexible Cementing Compositions And Methods For Using Same", which is specifically incorporated by reference in the divisional application filed herewith.

- Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application serial number 10/068,787, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27  
☐ is enclosed.  
☐ was filed in prior application number \_\_\_\_\_ and such status is still proper and desired (37 CFR 1.28(a))
- ☒ The Commissioner is hereby authorized to charge any deficient fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 10-1205/BJSC:296D1.
- ☒ The inventor(s) of the invention being claimed in this application is/are:  
Gino A. DiLullo  
Philip J. Rae
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

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6. ☐ Amend the specification by inserting before the first line the sentence:
7. ☒ New formal drawings are enclosed.
8. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_.
- ☐ The certified copy has been filed in prior application number \_\_\_\_/\_\_\_\_\_, filed \_\_\_\_\_ is claimed under 35 U.S.C. 119(a) - (d).
9. ☒ A preliminary amendment is enclosed.
10. ☒ Please enter the preliminary amendment before calculating the filing fee.

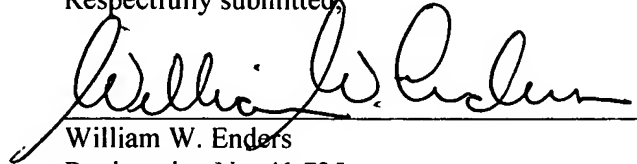
**FEE CALCULATION:**  
(After Amendments)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	Total Claims (37 CFR 1.16(e))	<u>4</u> - 20 =		x \$ 18.00	\$
	Independent Claims (37 CFR 1.16(b))	<u>1</u> - 3 =		x \$ 86.00	\$
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			x \$ 290.00	\$
				Basic Fee (37 CFR 1.16(a))	\$770.00
				Total of above Calculations =	\$
	Reduction by 50% for filing by Small Entity (Note: 37 CFR 1.9, 1.27, 1.28)				\$
	ASSIGNMENT RECORDATION FEE (IF FILED WITH APPLICATION) - \$40				\$
	TOTAL				<b>\$770.00</b>

11. ☒ A check in the amount of \$770.00 is enclosed.
12. ☒ The prior application is assigned of record to BJ Services Company

13. ☒ The power of attorney in the prior application is to O'Keefe, Egan & Peterman, LLP
- a. ☒ The powers of attorney appear in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future correspondence to: William W. Enders  
O'KEEFE, EGAN & PETERMAN, LLP  
1101 Capital of Texas Highway South  
Building C, Suite 200  
Austin, TX 78746
14. ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (Non-Publication Request Form)
15. ☒ Also enclosed: Postcard.
16. ☒ In accordance with 37 CFR 1.136(a)(3), the Commissioner is authorized to treat any concurrent or future reply that requires a petition for an extension of time under 37 CFR 1.136(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time, and the Commissioner is authorized to deduct any requisite fees under 37 CFR 1.16 to 1.21 from Deposit Account No. 10-1205.
17. ☒ An Information Disclosure Statement is enclosed herewith.
18. ☒ Applicant respectfully requests that the Information Disclosure Statement(s) in the prior application be made of record in this application, and that all references cited in the Information Disclosure Statement(s) be made of record, and further that all information in the Information Disclosure Statement(s) and references cited therein be considered by the Office during examination of this application.

Respectfully submitted,



William W. Enders  
Registration No. 41,735  
Attorney for Applicant

O'KEEFE, EGAN & PETERMAN  
1101 Capital of Texas Highway South  
Building C, Suite 200  
Austin, Texas 78746  
(512) 347-1611  
FAX: (512) 347-1615

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: GINO A. DILULLO ET AL.

Filed: HEREWITH

For: HIGH TEMPERATURE FLEXIBLE CEMENTING COMPOSITIONS  
AND METHODS FOR USING SAME

Serial No.: UNKNOWN

Group Art Unit: UNKNOWN

Examiner: UNKNOWN

Atty Dkt: UNKNOWN

NUMBER: EV302900230US

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Signature

Date

ATTN: OFFICIAL DRAFTSMAN  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUBMISSION OF FORMAL DRAWINGS**

Applicants hereby submit the formal drawings for the above-referenced application and request that these drawings be accepted for filing.

Respectfully submitted,

By:

  
William W. Enders

Reg. No.: 41,735

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